

## **MEMORANDUM OF AGREEMENT (MOA)**

**Between the**

**U. S. Army Corps of Engineers, Northwestern Division**

**And the**

**U. S. Army Engineering and Support Center, Huntsville**

**For the designation of Ordnance and Explosives (OE)  
Removal Districts**

### **1. PURPOSE**

The purpose of this MOA is to establish organizational relationships and specify roles and responsibilities between the U. S. Army Corps of Engineers, Northwestern Division, and the U. S. Army Engineering and Support Center, Huntsville, for the Division Commander's designation of OE Removal Districts within the Northwestern Division boundaries. Designated districts will accomplish OE removal action execution functions. Nothing in this MOA precludes potential future involvement by the Northwestern Division in OE investigation and design activities. Such activities would be addressed separately from this MOA and conducted under mentoring and in coordination with the U. S. Army Engineering and Support Center, Huntsville.

### **2. BACKGROUND**

ER 1110-1-8153, Ordnance and Explosives Response, 14 May 1999, specifies that the Major Subordinate Command (MSC) Commander will select, train, and assign, in writing, OE removal action execution to the OE Removal District(s). The MSC Commander is required to coordinate the planned action with the OE Mandatory Center of Expertise (OE-MCX) prior to making the official assignment of an OE Removal District. The OE-MCX is required to provide comments and written concurrence or non-concurrence for the proposed assignment.

### **3. RESPONSIBILITIES**

a. The Commander, Northwestern Division will:

(1) Designate and approve districts to execute OE removal actions in accordance with ER 1110-1-8153.

(2) Ensure that District Commanders submit a signed Capabilities Certification and Assumption of Responsibility memorandum prior to OE Design Center transfer of each OE removal project.

(3) Ensure that designated districts document and coordinate with the OE MCX a Project Execution Plan for each OE removal project that is being transferred to their district.

(4) Determine the contracting strategy for execution of OE removal actions when the OE Design Center and the OE Removal District do not reach a consensus for the selection of a contracting strategy.

b. USAESCH OE Design Center will:

(1) Contract for or participate with the designated OE Removal Districts approved to execute OE removal actions in acquisition planning to develop contracting strategies for removal actions.

(2) Provide engineering and design support for OE removal actions that have been transferred to OE Removal Districts.

(3) Delegate full or limited Contracting Officer Representative authority to OE Removal Districts when Task Orders are transferred with the removal action. USAESCH will maintain Contracting Officer authority for contracts awarded by USAESCH.

(4) Award Task Orders for OE removal actions and transfer the Task Orders to OE Removal Districts who are executing the work when the District does not have an appropriate contracting mechanism already in place.

(5) Coordinate a planning session with the designated MSC and the OE Removal and local Districts to project future removal action workload.

c. USAESCH OE-MCX will:

(1) Participate in Quality Assurance reviews of OE projects when requested by the Northwestern Division.

(2) Maintain current OE contract Data Item Descriptions for inclusion in OE contracts.

(3) Assist the Northwestern Division in reviewing and monitoring district OE qualifications for OE removal action execution.

(4) Provide the Northwestern Division Commander with written concurrence or non-concurrence in planned actions to designate OE Removal Districts within the Northwestern Division boundaries.

#### **4. FUNDING AND RESOURCE MANAGEMENT**

a. This agreement represents no financial commitment on any of the parties.

b. For FUDS projects, the MSC FUDS Program Manager will provide FUDS funding to OE Removal Districts in accordance with the most current approved annual workplan. The OE Removal Districts will ensure that funds are programmed for OE Design Center support.

c. Funding for projects in other programs (i.e. IRP, BRAC, Superfund, etc.) will be provided in accordance with specific requirements of the respective programs.

#### **5. DESIGNATION OF OE REMOVAL DISTRICT(S)**

a. The Omaha District is designated as an OE Removal District for projects within Northwestern Division boundaries.

b. The Northwestern Division may designate additional OE Removal Districts in the future by amendment of this MOA.

#### **6. EFFECTIVE DATE, AMENDMENT AND TERMINATION**

a. This MOA becomes effective on the date of the last approving signature and will remain in effect until cancelled or modified by either party with written consent.

b. Any changes to this MOA will be made in writing and signed by the signatories or their designated representatives.

## 7. APPROVING OFFICIALS

HARRY L. SPEAR Date  
COL, EN  
Commanding  
U. S. Army Engineering and Support  
Center, Huntsville

CARL A. STROCK  
Brigadier General, USA  
Commanding  
U. S. Army Corps of Engineers,  
Northwestern Division